



**Comments on the Interim Final Rule concerning Registration of Food Facilities Under the *Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Bioterrorism Act)*;
Reopening of the Comment Period**

Docket No: 2002N-0276

Submitted: May 14, 2004

**350 Sparks Street, Suite 605, Ottawa, Ontario (Canada) K1R 7S8
Tel: (613) 722-1000 Fax: (613) 722-1000**

1 Introduction

The Food Processors of Canada welcomes the opportunity to provide additional comments during the reopening of the comment period of the Interim Final Rule concerning Registration of Food Facilities Under the *Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Bioterrorism Act)* as published by the Food and Drug Administration (FDA) Department of Health and Human Services, in the *Federal Register of April 14, 2004* (Volume 69, Number 72).

The FPC is an internationally respected business association serving food industry executives on matters concerning trade, commerce and manufacturing. The members of FPC own or manage Canadian food processing companies who add value to inputs sourced from around the world and service markets in 80 countries including the United States and therefore affected by the final rules implemented by the FDA.

1. Under the interim final Registration rule, the majority of Canadian facilities have identified both an emergency contact and a U.S. agent. The cost of engaging a U.S. agent varies between \$400 and \$1200 per facility per year. It is our understanding that the FDA will only contact the U.S. agent if the emergency contact identified by the stakeholder is unavailable. Having two contacts for the same purpose is an unnecessary cost burden for Canadian industry. Therefore, we request that the FDA utilize the emergency contact as the U.S. agent where such an emergency contact has been identified, and in return exempt the need for a U.S. agent.
2. Definition of farms should to be clarified, in particular what activities specifically conducted on a farm either exempt or require the farm to register.
3. Technical problems encountered by the electronic registration system ensuring that it operate 24/7 and backups are in place to ensure smoother continuous operation. For example, in the answer to the "secret question" in account management, for use in the event of a forgotten password, requires input of at least eight characters to be recognized by the system. Recommend that the system recognizes all inputs as valid.